

PATENT  
Atty. Dkt. No. 003493.00517 (ATT 2001-0511)

### REMARKS

In view of the following discussion, the Applicants submit that none of the claims now pending in the application are unpatentable under the provisions of 35 U.S.C. § 103. The Applicants herein amend claims 1 and 16. Support for the amendments may be found in the Applicants' specification on at least paragraphs [15] and [18]. In addition, the Applicants herein amend various other claims to correct informalities, e.g., consistency of terms, antecedent basis issues, and/or typographical errors. Moreover, the Applicants herein cancel claim 22 and add new claim 32, which is identical to previously canceled claim 20 that was inadvertently canceled. Thus, the Applicants believe that all of these claims are now in allowable form.

#### I. REJECTION OF CLAIMS 1-4, 7-19 AND 22-31 UNDER 35 U.S.C. § 103

##### A. Claims 1-4, 7-11, 16-19, and 22-27

The Examiner rejected claims 1-4, 7-11, 16-19, and 22-27 as being unpatentable over Summers, et al. (U.S. Patent No. 6,961,416, issued on November 1, 2005, hereinafter referred to as "Summers") in view of Fandrianto, et al. (U.S. Patent No. 7,006,455, issued on February 28, 2006, hereinafter referred to as "Fandrianto") and in further view of Aravamudan, et al. (U.S. Patent No. 6,584,076, issued on June 24, 2003, hereinafter referred to as "Aravamudan"). The Applicants cancel claim 22 without prejudice and respectfully traverse the rejection.

Summers teaches an internet-enabled conferencing system and method accommodating PSTN and IP traffic. A caller may call into a conference call by dialing a number connecting them to a Voice node or VoIP node within a chassis on a TDM bus. (See Summers, col. 11, ll. 26-65).

Fandrianto teaches a system and method for supporting conferencing capabilities over packet switched networks. Fandrianto teaches that callers may dial into a conference call and be required to enter a conference password for authorization. (See Fandrianto, col. 7, l. 66 – col. 8, l. 9).

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Aravamudan teaches a telecommunications conferencing method and apparatus. The method and apparatus use a plurality of device servers including a packet circuit gateway. In response to a request for a conference call, the packet network determines the parties to be on the conference call and selects a conference bridge that results in the lowest cost for the conference call. (See Aravamudan, Abstract).

The Examiner's attention is directed to the fact that Summers, Fandrianto and Aravamudan, alone or in any permissible combination, fail to teach or to suggest a method or apparatus for establishing a VoIP conference call comprising receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations, as positively claimed by the Applicants' independent claims 1 and 16, respectively. Specifically, Applicants' independent claims 1 and 16 recite:

1. A method for establishing a Voice over Internet Protocol (VoIP) conference call by joining a first VoIP station in a communication between a plurality of communication stations, wherein at least one of the plurality of communication stations is a second VoIP station in a private network and said first VoIP station is in the private network, the method comprising:

receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations;

establishing a Real-Time Transport Protocol (RTP) voice path with the first VoIP station and said VCS; and

managing data packet transmission between the first VoIP station and one of the plurality of communication stations via said VCS.  
(Emphasis added).

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16. A device for establishing a Voice over Internet Protocol (VoIP) conference call by joining a first VoIP station in a communication between a plurality of communication stations, wherein at least one of the plurality of communication stations is a second VoIP station in a private network and said first VoIP station is in the private network, the device comprising:

a receiver in a Voice Conference Server (VCS) for receiving an indication from the first VoIP station in the private network for joining a call, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations;

an apparatus in said VCS for setting up a Real-Time Transport Protocol (RTP) voice path with the first VoIP station in response to the received signal for joining said call; and,

an RTP mixer in said VCS for managing at least two VoIP stations and sending the mixed data packets to at least one VoIP station.  
(Emphasis added).

In one embodiment, Applicants' invention is a method or apparatus for establishing a VoIP conference call comprising receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations. As a result, the Applicants' invention provides conferencing capability in private VoIP networks while containing costs for the VoIP phones because of the VCS. (See e.g., Applicants' specification, p. 6, para. [15]). Moreover, the VCS may provide conferencing capabilities without the need to pre-establish a conference call. (See *Id.* para. [16]).

The alleged combination (as taught by Summers) fails to teach or suggest a method or apparatus for establishing a VoIP conference call comprising receiving an indication comprising receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network,

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wherein said VCS is external to said first VoIP station and said plurality of communication stations. The Examiner concedes this in the Office Action. (See Office Action, page 3, lines 12-15). However, the Examiner then alleges that Fandrianto bridges the substantial gap left by Summers.

The Applicants respectfully submit that Fandrianto fails to bridge the substantial gap left by Summers because Fandrianto also fails to teach or suggest receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations. Responsive to the Examiner, the Applicants amended claims 1 and 16 to specify the limitation of "a connection". Specifically, the code number identifies an existing conversation between the second VoIP station in the private network and a phone in a public network. Notably, there is no pre-established conference call. Rather, the code number identifies a private conversation between two parties that a third party wishes to join.

In contrast, Fandrianto only teaches the use of a conference password. Even if broadly interpreted, the conference password identifies a user's connection to a pre-established conference call. (See Fandrianto, col. 7, l. 66 – col. 8, l. 5).

Moreover, Fandrianto teaches away from the Applicants' invention. The Applicants' invention teaches that the VCS is located external to all of the communication stations. Thus, the cost of the communication stations is contained. In stark contrast, Fandrianto teaches that the IP phone contains all the conferencing modules and software. (See Fandrianto, col. 4, l. 36 – col. 5, l. 53; FIGs. 3-4). Thus, Fandrianto cannot be meaningfully combined with Summers and Aravamudan in attempting to render the Applicants' invention obvious.

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Aravamudan also fails to bridge the substantial gap left by Summers and Fandrianto because Aravamudan also fails to teach or suggest receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations. Aravamudan only teaches dynamically changing conference bridges. (See Aravamudan, Abstract). Therefore, Summers, Fandrianto and Aravamudan, alone or in any permissible combination, fail to teach or suggest a method or apparatus for establishing a VoIP conference call comprising receiving an indication comprising receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations, as positively recited by Applicants' independent claims 1 and 16. Therefore, the Applicants respectfully request the rejection be withdrawn.

Moreover, dependent claims 2-4, 7-11, 17-19, and 23-27 depend, either directly or indirectly, from independent claims 1 and 16, respectively, and recite additional limitations. As such, and for the exact same reason set forth above, the Applicants submit that claims 2-4, 7-11, 17-19, and 23-27 are also patentable over Summers, Fandrianto and Aravamudan. As such, the Applicants respectfully request the rejection be withdrawn.

B. Claims 12-15 and 28-31

The Examiner rejected claims 12-15 and 28-31 as being unpatentable over Summers in view of Fandrianto and Aravamudan and in further view of US

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Patent 6,269,159, issued on July 31, 2001, hereinafter referred to as "Cannon."

The Applicants respectfully traverse the rejection.

The teachings of Summers, Fandrianto and Aravamudan have been discussed above. Cannon teaches conferencing with a calling party. The method and apparatus provides three way conferencing which allows a third party caller to call into an existing telephone call at a single line of a called party's telephone. (See Cannon, Abstract.)

The Examiner's attention is directed to the fact that the alleged combination (as taught by Summers, Fandrianto, Aravamudan, and Cannon) fails to disclose the novel a method or apparatus for establishing a VoIP conference call comprising receiving an indication comprising receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations, as positively claimed by the Applicants' independent claims 1 and 16. (See *supra*).

The Applicants' invention teaches a method or apparatus for establishing a VoIP conference call comprising receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations. In contrast, as discussed above, the combination of Summers, Fandrianto and Aravamudan simply does not teach or suggest the novel method or apparatus for establishing a VoIP conference call comprising receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number

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identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations.

Moreover, Cannon does not bridge the substantial gap left by Summers, Fandrianto and Aravamudan because Cannon also fails to teach or suggest a method or apparatus for establishing a VoIP conference call comprising receiving an indication at a voice conference server (VCS) from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations, wherein said indication comprises a code number identifying an existing conversation between the second VoIP station in the private network and a phone in a public network, wherein said VCS is external to said first VoIP station and said plurality of communication stations. Cannon only teaches a method and apparatus for conferencing with a calling party. (See Cannon, Abstract). Thus, for all of the above reasons, the Applicants respectfully contend that claims 1 and 16 of the present invention are not made obvious by the combination of Summers, Fandrianto, Aravamudan and Cannon.

Furthermore, dependent claims 12-15 and 28-31 depend, either directly or indirectly, from claims 1 and 16, respectively, and recite additional limitations. As such, and for the exact same reason set forth above, the Applicants submit that claims 12-15 and 28-31 are also patentable and not made obvious by the teachings of Summers, Fandrianto, Aravamudan and Cannon. As such, the Applicants respectfully request the rejection be withdrawn.

### III. NEW CLAIM

As noted in the Remarks, the Applicants herein add new claim 32. New claim 32 is identical to the previously canceled claim 20 that was inadvertently canceled. The Applicants submit that no new matter is added and believe that claim 32 is also in condition for allowance.

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### CONCLUSION

Thus, the Applicants submit that all of these claims now fully satisfy the requirements of 35 U.S.C. § 103. Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the maintenance of the present final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully Submitted,

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Patterson & Sheridan, LLP  
595 Shrewsbury Avenue  
Shrewsbury, New Jersey 07702

  
Kin-Wah Tong, Attorney  
Reg. No. 39,400  
(732) 530-9404